

Meeting Minutes
Delaware Native Species Commission
December 19, 2018 at 10 am
Kent County Administrative Building, 555 Bay Road, Dover, Delaware
Room 221

Minutes approved on: March 8, 2019

Members Present

James White, Chair
Robert Thornton, Vice-Chair (arrived 10:25)
Jeffery Downing
James McCulley
Michael Petit de Mange
David Saveikis
Tracy Surles- via phone
Christopher Heckscher
Lori Athey
Ashley Kennedy
Michael Costello
Jessica Inhof

Members Absent

Sarah Cooksey
Janice Truitt
Katherine Holtz

Administrative Staff

Jennifer Childears, Administrative Specialist III

Public Present

Stephanie Hansen, State Senator
Lian Marie Colon
Elaine Schmerly
Marcia Fox
Carol Larson
Flavia Rutkosky
Bill McAvoy
Elizabeth Nalle
Shelia Smith

Call to Order

Mr. White called the meeting to order at 10:02 a.m.

Review and Approval of Minutes

Discussion on how to approve minutes if quorum of attendees at the meeting are not present at the following meeting when minutes are reviewed. The Freedom of Information Act (FOIA) does not address meeting minutes, however Mr. Saveikis discussed the matter with DNREC's Deputy Attorney General (DAG) who found that Roberts Rules of Order does say only members present at the meeting in question should vote on the minutes. The commission can also provide rules for voting on minutes by establishing bylaws. Mr. Thornton spoke about keeping the process informal and creating a procedure where if the member was not present at the meeting, they can say they read the minutes and find no issue with them, if their vote was needed to provide a quorum of votes to have the minutes approved. Mr. White proposed following Roberts Rules that you have to present at the previous meeting to vote on the minutes. Mr. Thornton made a motion, seconded by Mr. Saveikis to follow Roberts Rule of Order stating that you must have been present at the meeting to vote on that meeting's minutes. The motion carried unanimously.

The commission reviewed the minutes of the July 31, 2018 meeting. Ms. Kennedy made a motion, seconded by Mr. McCulley to accept the minutes as written. The motion carried unanimously by the eligible commission members.

The commission reviewed the minutes of the October, 17, 2018 meeting. Ms. Athey made a motion, seconded by Mr. McCulley to accept the minutes as written. The motion carried unanimously by the eligible commission members.

Unfinished Business

Mr. Saveikis spoke to DNREC's DAG on the matter of commission members participating/attending via telephone. This manner is not allowed under FOIA rules. Video conferencing is allowed as a remote option but the commission discussed the practicality of doing so. There has to be video conferencing capabilities that are open to the public where the commission member would call in and there has to be video conferencing capabilities at the location of the meeting. At this time, the location for the commission's meetings does not provide for video conferencing.

Senator Hansen noted that the FOIA law that prohibits teleconferencing should be changed as it is detrimental to holding meetings and getting work done as a commission. Ms. Childers mentioned it could be possible to allow for teleconferencing if the commission created bylaws. Mr. White suggested looking into creating bylaws and charged Mr. Saveikis with following up to see if creating a bylaw to allow teleconferencing was allowed and how to create bylaws.

New Business

Welcome new members

Mr. White welcomed Ms. Jessica Inhof, the new designee for the Department of Agriculture who took over for Ms. Kuehn after her retirement in September. Ms. Truitt was not in attendance but she is also a new commission member.

Review of Report to the General Assembly

Senate Bill 153 requires an annual report to the General Assembly by Dec 31. Senator Hansen had suggested in a previous meeting to follow the format of the Task Force's final report. Ms.

Childears completed several sections of the report and had a draft on the screen for review. The introduction needed to be completed by Mr. White. Further discussions centered on what other information to include, how and who to send the report. Senator Hansen suggested sending an electronic copy to all the members of the General Assembly in case the offices of the Senate and House do not distribute. Adding goals for 2019 to the report was needed and discussion followed regarding the invasive species list, educating the public, legislators and business community, creating legislation to ban invasive species. Several suggestions from the public and commission members regarding how to roll out an education/public relations campaign were discussed.

Mr. Saveikis pointed out the need to set procedures on dealing with the final report since the commission was not meeting again before December 31. Mr. Thornton made a motion, seconded by Mr. McCulley, to have the commission members review the report via email and defer to the commission chair (Mr. White) for final decisions on the report. The motion carried unanimously.

Marcia Fox, DISC

Chair of the Delaware Invasive Species Council, Marcia Fox, spoke to the commission about DISC's latest activities. DISC is currently looking at surrounding states' publications and reassessing their list of invasive species to include animals. DISC is meeting with more subject matter experts to create a better list. Ms. Fox noted that Mr. McAvoy's list is very comprehensive and similar to what surrounding states are noting as invasive species. The next meeting of the council is in February and if any commission members want to attend, they should contact Mr. Fox for information.

Mr. White commented that the commission needs to look at invasive animals as well as plants.

Law and Regulations Subcommittee Report

Mr. Petit de Mange reported that the subcommittee has not met since their initial Oct meeting but will meet in January. Mr. Petit de Mange noted that he had spoken with the State Planning Office and they expressed willingness to work with the subcommittee to review laws that may be impeding native species growth.

Senator Hansen requested that Ms. Surles talk about New Castle County's activities. Ms. Surles reported that the Land Use office is revising code to make it easier for maintenance corporations to change open space to meadows.

Education Subcommittee Report

Mr. Downing reported that subcommittee met Nov 2. There is a wealth of educational information and resources available and the subcommittee will work towards simplifying and narrowing down what to use. They will use "choose native plants", "avoid invasive plants", "use water wisely", "use chemicals sparingly", and "reduce lawn size" as their focus messages when disseminating materials. The committee also discussed how to reach a broader audience, developing a shareable native species presentation, and developing a branded conservation initiative.

The commission members and members of the public shared their ideas and thoughts on reaching different groups of people such as inner city groups, new home owners and Habitat for Humanity.

Mr. Petit de Mange raised the question of a budget to create and hold such presentations and Senator Hansen stated she could look for money. Mr. Saveikis noted that if a budget request were to happen that the commission also consider asking for operational support money, such as mileage reimbursement and other administrative costs.

Ms. Surles mentioned she would like to be added to the subcommittee as New Castle County is working with its county libraries and parks to integrate native species education.

Senator Hansen spoke about the environmental symposium that she would like to hold possibly at Delaware Technical College. Originally slated for the spring, it may now be moved to the fall in part to see how New Castle County's changing laws regarding open space work out. Mr. Downing offered the subcommittee's assistance with the symposium and would provide a proposal for the committee to review when the time came.

Review of the Top Ten Ranking

Ms. Childears presented the results of the second round of ranking. Education and creating legislation to ban invasive species were at the top. Mr. Thornton stated that wording for a ban would need to be specific and discussion followed on how it could be worded.

Mr. McCulley made a motion, seconded by Dr. Heckscher, to use all recommendations that received 6 or more responses as the Top 10 list. The motion carried unanimously.

Senator Hansen suggested adding the Top 10 list to the general assembly report and members of the public would like the list to be available on-line.

Creating a list of Professional Contacts

Ms. Kennedy had shared via email a contact she thought would be good to have for the commission. Ms. Childears stated she could create and keep a list of professional contacts for the commission. Dr. Heckscher had questions about such a list and requested the matter be put on the agenda for discussion.

Dr. Heckscher questioned how the list would be used, if it would be online and public or kept private. Ms. Kennedy noted that she did not intend for the list to be public but that the commission could benefit from having a list of professionals outside of Delaware and the list should solely be used as a resource for the members to use if needed. Mr. White agreed that the list should be kept private for internal use if needed by commission members and if anyone wanted to add to the list to contact Ms. Childears.

Meeting dates for 2019, locations

Ms. Childears provided a list of all the meeting dates for 2019, which fall on the third Wednesday of every other month, starting in February. Mr. Petit de Mange was confident that a

meeting space would be available at the Kent County Administrative Building and would confirm with Ms. Childears as to what room the Commission would utilize.

Public Comment

The public commented throughout the meeting in addition to the following comments made during this time. The members of the public did not introduce themselves as they spoke so their names are not recorded here.

There was a request for a public service announcement campaign for home owners associations to understand converting open space to meadows. Mr. White commented that many of the natural educational agencies are working towards that. Also a comment on the importance of planting trees.

A comment on the feral cat community and their effect on small animal and bird species. Mr. Thornton commented on his involvement with an organization that works to neuter/spay feral cats.

A question if a certain species of plant will be added to the invasive species list. Ms. Fox from the public stated it would be added to the updated DISC list.

A statement that there should be a funding source to help homeowners and businesses remove invasive species from their property. Mr. White commented that the Commission could include that in any budget they create.

Discussion about coordinating with the State Education Department to include curriculum on native/natural habitats as the 6-8 grade science curriculum is not focusing on that in the coming year.

Discussions on possible tax benefits for using native species in landscape.

Questions about how the Commission envisions the ban (law) on invasive species “going down”. Mr. White mentioned that there would stakeholder meetings and discussions and a phase out portion to assist nurseries and other retail businesses. There will also be an enforcement aspect to any bill created.

Ms. Fox mentioned that DISC has a grant program through the Division of Watershed Stewardship and that requests for proposals was opening up. A recent grant awarded helped with bamboo removal in the City of Newark.

Mr. Saveikis took a moment to ask if the Commission wanted to have the upcoming meetings announced through a DNREC Press Release. The Commission thought that would be a good idea. Ms. Childears will arrange for press releases to be issued for future meetings.

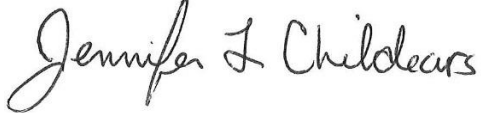
Next Meeting Date and Location

The next meeting is scheduled for February 20, 2019 at 10:00 am.

Adjournment

There being no further business, Mr. Thornton made a motion, seconded by Mr. McCulley to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 12:03 pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer I. Childears". The signature is written in dark ink and is positioned above the printed name and title.

Jennifer Childears, Administrative Specialist III
DNREC, Division of Fish & Wildlife